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U.S. 1ST CIRCUIT COURT OF APPEALS

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### **Lakin v. Barnhart, No. 13-2210**

Summary judgment in favor of defendants in an action in which plaintiff-inmates allege that defendants acted with deliberate indifference to a substantial risk that inmates would use padlocks issued to them by the prison to assault fellow inmates such as plaintiffs, is affirmed, where: 1) plaintiffs have failed to raise a triable issue of substantial risk of assault by padlock; and 2) the district court likewise correctly held that defendants were entitled to qualified immunity.

Criminal Law & Procedure, Evidence

### **US v. Rojas, No. 13-1352**

Defendant's conviction for distributing cocaine is affirmed, where: 1) the district judge ably responded to both of the prosecutor's errors of improper vouching and the playing of an audio recording never entered into evidence during closing arguments; and 2) neither of the errors affected defendant's conviction.